



Substance Use Disorder Compliance Unit Guidance Letter

Number: GL 20-3002
Title: Novel Coronavirus (COVID-19) Emergency Guidelines for Narcotic Treatment Programs
Provider Types: Narcotic Treatment Programs/Opioid Treatment Providers
Date Issued: April 10, 2020

1.0 Subject and Purpose

The Health and Human Services Commission (HHSC) provides guidance to licensed narcotic treatment programs (NTPs), also known as opioid treatment programs (OTPs). In response to the state of disaster declared in Texas and the United States of America relating to COVID-19, NTPs will now be permitted to treat patients with buprenorphine without a face-to-face exam, provide take-home doses of medication, postpone annual physical exams and drug tests, and accept electronic signatures to more effectively treat patients during this health emergency. In addition, NTPs are encouraged to use telehealth to treat patients and adhere to federal guidelines provided by the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Drug Enforcement Administration (DEA).

2.0 Policy Details & Provider Responsibilities

HHSC rules require NTPs to comply with Title 42, Code of Federal Regulations, Part 8, titled, "Medication Assisted Treatment for Opioid Use Disorders."¹

HHSC is directing NTPs to follow guidelines set by SAMHSA and the DEA to protect both patients and staff during COVID-19.

¹ 25 TAC [§229.144](#) & [§229.152](#).

2.1 Personal Protective Equipment (PPE) Shortages

Due to the COVID-19 pandemic, personal protective equipment (PPE) supplies may be limited in some areas. Per the Governor's March 22, 2020, Executive Order GA-09, relating to hospital capacity during the COVID-19 disaster, health care facilities must postpone all surgeries and procedures that are not immediately medically. Based on the Governor's executive order and federal guidelines, NTPs may postpone routine physical examinations and laboratory testing that requires biological samples, including but not limited to testing for licit and illicit drugs, at the discretion of the program physician until adequate PPE is available. Initial face-to-face physical exams and testing must still occur prior to methadone utilization.

2.2 Electronic Signatures at NTPs

To reduce disruption of treatment, NTPs are directed to accept electronic signatures in lieu of in-person or wet signatures on documents, including but not limited to consent to treat documentation, treatment plans, patient records, and reviews.

2.3 Telemedicine in NTPs

During this public health emergency, programs may utilize telemedicine for buprenorphine induction without an in-person, face-to-face medical examination. Methadone will continue to require an in-person, face-to-face medical evaluation prior to the first dose of medication.

See SAMHSA's "FAQs: Provision of methadone and buprenorphine for the treatment of Opioid Use Disorder in the COVID-19 emergency" for additional guidance here:

<https://www.samhsa.gov/sites/default/files/faqs-for-oud-prescribing-and-dispensing.pdf>

See the DEA's "Use of Telemedicine While Providing Medication Assisted Treatment (MAT)" for additional guidance here:

https://www.samhsa.gov/sites/default/files/programs_campaigns/medication_assisted/telemedicine-dea-guidance.pdf

See further details on telemedicine and the utilization of buprenorphine here: <https://www.samhsa.gov/sites/default/files/dea-samhsa-buprenorphine-telemedicine.pdf>

2.4 Take-home Medication

NTPs may request an exception for patients to receive 14-day or 28-day doses of take-home medication to support social distancing, self-quarantine, and shelter-in-place mandates.

See SAMHSA's "Opioid Treatment Program (OTP) Guidance" here:

<https://www.samhsa.gov/sites/default/files/otp-guidance-20200316.pdf>

3.0 Background/History

NTPs are responsible for ensuring the health and safety of patients. State and federal guidance indicates that COVID-19 presents a significant health and safety risk to patients. Accordingly, HHSC issues this guidance letter to support the Governor's March 13, 2020, proclamation certifying that the COVID-19 virus poses an imminent threat of disaster in the state, declaring a state of disaster for all counties in Texas, and authorizing the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster. HHSC recommends NTPs take necessary measures to mitigate the spread of the virus and preserve social distancing while continuing to treat and care for their patients.

4.0 Resources

Additional COVID-19 guidance and resources from SAMHSA are available here: <https://www.samhsa.gov/coronavirus>

Additional COVID-19 guidance and resources from the DEA's Diversion Control Division are available here:

<https://www.deadiversion.usdoj.gov/coronavirus.html>

Governor Greg Abbott's Disaster Proclamation is available here:

https://gov.texas.gov/uploads/files/press/DISASTER_covid19_disaster_proclamation_IMAGE_03-13-2020.pdf

Governor Greg Abbott's Executive Order GA-09 is available here:

https://gov.texas.gov/uploads/files/press/EO-GA_09_COVID-19_hospital_capacity_IMAGE_03-22-2020.pdf

"Coronavirus Disease 2019 (COVID-19)" web page provided on the Texas Department of State Health Services (DSHS) is available at:

dshs.texas.gov/coronavirus/

To receive future updates, sign up for GovDelivery here:

<https://service.govdelivery.com/accounts/TXHHSC/subscriber/new>

5.0 Contact Information

If you have any questions about this letter, please contact the Policy, Rules, and Training Section by email at: HCQ_PRT@hhsc.state.tx.us.

Contact the State Opioid Treatment Authority (SOTA) regarding exceptions and other questions at: Laurie.DeLong@hhsc.state.tx.us.